THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.24161 of 2006

DATED 22.11.2006

Between:

Katti Ayavaraiah. .. PETITIONER

versus

The State Election Commissioner,
Hyderabad, and four others. .. RESPONDENTS

WRIT PETITION NO.24161 of 2006

ORDER:

The matter is coming up for admission. Sri Prabhakar Rao takes notice for respondents 1 and 2, learned Government Pleader for Panchayat Raj takes notice on behalf of respondent No.3 and the learned Government Pleader for Endowments takes notice for respondent No.4.

2. The Writ Petition is filed for a Writ of Mandamus declaring the action of the respondents 1 to 3 in not declaring the 5th respondent disqualified to hold the post of Sarpanch of Vontimitta Gram Panchayat, Cuddapah District as per Section 18 of the Panchayat Raj Act, 1994 and under Section 15 of the A.P. Charitable and Hindu Religions Institutions and Endowments Act, 1987 as illegal, arbitrary and contrary to law and consequently direct the respondents 1 to 3 to declare the petitioner as Sarpanch of Vontimitta Gram Panchayat, Cuddapah District and pass such other suitable orders.

3. The clarifications on disqualifications are placed before this Court and specifically item No.17 had been referred to and it is stated that in view of the same, the 5th respondent is disqualified and despite repeated representations, the official respondents are initiating no

action. Several other factual details are also narrated in the affidavit filed in support of the Writ Petition.

4. In the facts and circumstances, liberty is given to the writ petitioner to follow the procedure as contemplated by Section 22 of A.P. Panchayat Raj Act, 1994 and it is needless to say that on such procedure being followed by the writ petitioner, further steps to be taken at an early date by the official respondents.

5. With the above direction, the Writ Petition is disposed of. No costs.

22.11.2006

SSR